

SEP 24 2007

Sept 24, 2007

To USPTO Tech Center 3600, 571 - 272 - 3600  
571 - 273 - 8300 fax  
Art Unit - 3694

Regarding: Application # 10 / 827,021 (filed 04 / 19 / 2004)

Inventors - Richard Devlin Schwarz (Scotch Plains, New Jersey)  
- Brad Eric Pines ((Troy, Michigan))

Schwarz-Pines Response to USPTO Non-Final Office Action, dated 8 / 25 / 07

With filing date extended one month to Sept. 25, 2007 via SB / 22 dated and mailed  
Certified 07 / 09 / 18 (with \$60 check) to Commissioner for Patents from Rich Schwarz

Response is made under new power of attorney (with revocation for Wilmer Cutler  
Pickering Hale and Dorr LLP) to the inventors:

- via SB / 82 dated and mailed certified 09 / 14 / 07 to Commissioner for Patents  
from Rich Schwarz
- via SB / 82 dated and mailed certified 09 / 18 / 07 to Commissioner for Patents  
from Brad Pines

**Section I of response - Overview (8 pages)**

Section II of response - Amended Claims (under separate cover)

Section III of response - Responses to 63 items in Detailed Action (under separate cover)

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**Section I - Overview**

**A - Overview of Basic Differences**

The financial system (acronym OPERRA) taught by Schwarz-Pines application (# 10 / 827,0210) is unique and fundamentally different from that described in the Robinson patent (US 6,484,152 B1) and that implied by combining the teachings of Robinson and the Markese article ( Ref. "U" (Can You Trust Mutual Fund Rankings?)).

OPERRA process produces an overall score for a holding or security based on past performance; OPERRA does not produce an optimal portfolio as does Robinson. The score produced by OPERRA could be one of the characteristics applied to the stocks by a user (investor) selects attempting arrive at his maximum portfolio in applying the